COMMITTEE REPORT

February 7, 2019

**H. 3388**

Introduced by Reps. Jordan, Yow, Cogswell and Hixon

S. Printed 2/7/19--H.

Read the first time January 8, 2019.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 3388) to amend the Code of Laws of South Carolina, 1976, by adding Section 53‑3‑95 so as to provide that the month of April of each year is, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Chapter 3, Title 53 of the 1976 Code is amended by adding:

“Section 53‑3‑95. The month of March of every year is declared ‘Move Over Awareness Month’ in South Carolina. The Department of Transportation and the Department of Public Safety shall conduct programs during the month of March that emphasize the importance of motor vehicle drivers moving over into an adjacent lane whenever possible when approaching or passing through a highway work zone, an emergency scene, or any other traffic incident.”

SECTION 2. Article 11, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑1539. The Department of Transportation must allow a driver of a wrecker or towing service vehicle to take traffic incident management training free of charge.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

MERITA A. ALLISON for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53‑3‑95 SO AS TO PROVIDE THAT THE MONTH OF APRIL OF EACH YEAR IS DECLARED “MOVE OVER AWARENESS MONTH” IN SOUTH CAROLINA AND REQUIRE THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF PUBLIC SAFETY TO CONDUCT PROGRAMS DURING THIS MONTH THAT EMPHASIZE THE IMPORTANCE OF MOTOR VEHICLE DRIVERS MOVING OVER INTO AN ADJACENT LANE WHENEVER POSSIBLE WHEN APPROACHING OR PASSING THROUGH A HIGHWAY WORK ZONE, AN EMERGENCY SCENE, OR ANY OTHER HIGHWAY TRAFFIC INCIDENT; BY ADDING SECTION 56‑5‑1539 SO AS TO PROVIDE THAT CERTAIN STATE GOVERNMENTAL ENTITIES MUST ALLOW A DRIVER OF A WRECKER OR TOWING SERVICE VEHICLE TO TAKE TRAFFIC INCIDENT MANAGEMENT TRAINING FREE OF CHARGE; AND TO AMEND SECTION 56‑5‑1538, REGARDING EMERGENCY SCENE MANAGEMENT, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL PRINT INFORMATION IN ITS DRIVER’S MANUALS RELATING TO THE STATE’S “MOVE OVER LAW”.

Whereas, law enforcement officers, highway construction workers, and first responders face many dangers in their honorable mission to protect and serve the citizens of and visitors to the Palmetto State; and

Whereas, the number of law enforcement officers, highway construction workers, and first responders who have been struck and killed while working along our highways remains high; and

Whereas, the State has made great strides toward reducing the number of fatalities through its move over campaign by erecting signs around the State that contain the words “Move Over or Reduce Speed For Stopped Emergency Vehicles”, media interviews, public safety announcements, and printed materials; and

Whereas, through awareness and proper education, members of the public can make additional strides toward reducing the number of injuries and deaths along our highways by enhancing the state’s move over campaign by dedicating the month of April of every year toward achieving this goal. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 3, Title 53 of the 1976 Code is amended by adding:

“Section 53‑3‑95. The month of April of every year is declared ‘Move Over Awareness Month’ in South Carolina. The Department of Transportation and the Department of Public Safety shall conduct programs during the month of April that emphasize the importance of motor vehicle drivers moving over into an adjacent lane whenever possible when approaching or passing through a highway work zone, an emergency scene, or any other traffic incident.”

SECTION 2. Article 11, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑1539. A state governmental entity that maintains a wrecker or tow truck rotation must allow a driver of a wrecker or towing service vehicle to take traffic incident management training free of charge.”

SECTION 3. Section 56‑5‑1538 of the 1976 Code is amended by adding the following appropriately lettered subsection:

“( ) The Department of Motor Vehicles shall print in future Driver’s Manuals, and as soon as practical, for online editions, information referencing the state’s ‘Move Over Law’ as contained in S.C. Code Section 56‑5‑1538, setting forth the requirements of the law regarding motorists on an interstate highway approaching an emergency scene.”

SECTION 4. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑